Says the Wife of an Accused Man Would Be the Last to Learn of Her Husband's Guilt.

MRS. FRANK BITTER IN HER CRITICISM

Detective Department Not at All Disturbed Over Denial of the McKnight Woman That She Signed Affidavit.

The wife of a man accused of crime would probably be the last person to learn all of the facts establishing her husband's guilt, and certainly would be the last person to admit his culpability, even though it be proved by overwhelming evidence.

Perhaps the most unpleasant feature incident to the position of prosecuting attorney arises from the fact that punishment of the guilty inevitably brings suffering to relations who are innocent of participation in the crime, yet who must share the humiliation following from its exposure."

These statements are contained in a signed letter for publication given The Constitution yesterday afternoon by Solicitor General Hugh M. Dorsey shortly following the issuance of a letter criticizing him by Mrs. Leo Frank, wife of the man indicted for the murder of Mary Phagan.

Scores the Detectives.

Mrs. Frank's letter rings with caustic denunciation of the solicitor and the detectives for imprisoning the servant girl, Minola McKnight, and issuing the sensational affidavit purported to have been signed by the negress. She declares belief in her husband's innocence and expresses confidence that he will be acquitted.

She arraigns the circulators of unsavory and "untrue" stories regarding her alleged unhappy married life and asserts that the suspected man could not have been "the good husband he had been to her if he were a criminal." It is the first public statement issued by any member of the Frank family and created wide interest.

In accounting for the affidavit of the McKnight girl, she says that it is not improbable that the negress told such a story, as one would

have doubtless concocted any kind of tale in order to escape the "tortuous third degree" to which Mrs. Frank says the girl was subjected at police headquarters on the day she made the affidavit. The wife corroborates her husband in his statement of his conduct at home on the day of the tragedy and says that other stories are absolutely false.

In speaking of the Phagan situation, Solicitor Dorsey says that a bill of indictment has been found by the grand jury, composed of impartial and respected citizens, and that as solicitor general, he welcomes all evidence from any source that will aid an impartial jury in determining the guilt or innocence of the accused man. It also is Mr. Dorsey's first statement for publication.

It follows in full:

Solicitor Dorsey's Statement.

"I have read the statement printed in the Atlanta newspapers over the signature of Mrs. Leo M. Frank, and I have only to say, without in any wise taking issue with her premises, as I might, that the wife of a man accused of crime would probably be the last person to learn all of the facts establishing his guilt, and certainly would be the last person to admit his culpability, even though proved by overwhelming evidence to the satisfaction of every impartial citizen beyond the possibility of reasonable doubt.

"Since the discovery of this crime I have rigidly adhered to my consistent policy of refraining from newspaper interviews of statements with relation to the evidence upon which the state must depend to convict and punish the perpetrator of the crime, and it is my purpose to adhere steadfastly to this policy, submitting to the jury of Fulton county citizens, to be selected under the fair provision of the law, the evidence upon which, alone, conviction or acquittal must depend.

"A bill of indictment has been found by the grand jury, composed of impartial and respected citizens of this community, and as solicitor general of this circuit, charged with the duty of aiding in the enforcement of our laws by the prosecution of those indicted

for violating the law. I welcome all evidence from any source that will aid an impartial jury, under the charge of the court, in determining the guilt or innocence of the accused.

"Perhaps the most unpleasant feature incident to the position of prosecuting attorney arises from the fact that punishment of the guilty inevitably brings suffering to relations who are innocent of participation in the crime, but who must share the humiliation flowing from its exposure.

"This however is an evil attendant upon crime and the courts and their officers cannot allow their sympathies for the innocent to retard the vigorous prosecution of those indicted for the commission of crime for were it otherwise sentiment and not justice would dominate the administration of our laws.

HUGH M. DORSEY."

Detectives Not Disturbed.

Chief Lanford and Harry Scott apparently are not the slightest perturbed over the report that Minola McKnight the servant girl in the Frank home had repudiated the sensational affidavit to which she attested Tuesday afternoon. The chief declared that he did not believe the report and that he did not think the woman would renounce her sworn statement in the manner rumored.

She will be placed on the witness stand in the Frank trial the detectives assert and if she denies having made the affidavit Detectives Campbell and Starnes and two citizens will be sworn to testify that she did sign the document. The report is that she made a total denial of the statement accredited her by the detectives. She has returned to work in the Frank household.

The mother of the suspected superintendent, Mrs. L. Frank, whose home is in Brooklyn, N. Y., has arrived in Atlanta to be near her son and to attend his trial. She is stopping at the residence of Mr. and Mrs. Emil Selig, 68 East Georgia avenue, at which Frank lived with his wife. She has visited the jail frequently since coming to Atlanta and will visit it daily throughout her visit.

Besides the reported denial of her affidavit by the servant girl there were no developments in the Phagan mystery Thursday, the detectives say Chief Beavers and Chief Lanford devoted their time to the grand jury to which they were summoned while the solicitor general and his staff were employed throughout the day in the same manner.

The Fulton county board of commissioners approved a bill of $45 submitted to them by William Black an undertaker of Marietta for the disinterment of Mary Phagan's body in Marietta. The bill when first presented was protested by S. B. Turman on the ground that it already had been given the coroner's O. K. His argument was that the coroner had no right to exercise this authority. He finally withdrew his protest.

Mrs. Frank's Letter Follows:

Atlanta, Georgia, June 5, 1913.

Editor Atlanta Constitution, Atlanta, Georgia

Dear Sir: The action of the solicitor general in arresting and imprisoning our family cook because she would not voluntarily make a false statement against my innocent husband brings a limit to patience. This wrong is not chargeable to a detective acting under the necessity of shielding his own reputation against attacks in newspapers but of an intelligent trained lawyer whose sworn duty is as much to protect the innocent as to punish the guilty. My information is that this solicitor has admitted that no crime is charged against this cook and that he had no legal right to have her arrested and imprisoned.

The following statement from The Atlanta Journal undertakes to give the history of the arrest up to the time the woman was carried to the police station in the patrol wagon, weeping and shouting in a hysterical condition.

The negress was arrested at the Selig residence shortly after noon Monday upon the order of Solicitor General Hugh M. Dorsey.

She was carried to the solicitor's office and that official with Detectives Campbell and Starnes examined her for more than an hour. The woman grew hysterical during the vigorous examination, and finally was led from the solicitor's office to the police patrol weeping and shouting, "I am going to hang and don't know a thing about it."

"They Tortured Her."

They tortured her for four hours with the well-known third degree process in the manner and with the result stated in The Atlanta Constitution of June 4, as follows:

Her husband who was also carried to the police station at noon was freed a short while before his wife left the prison. He was present during the third degree of four hours under which she was placed in the afternoon. He is said to have declared even in the presence of his wife that she had told conflicting stories of Frank's conduct on the tragedy date.

After she had been quizzed to a point of exhaustion, Secretary G. C. Febuary attached to Chief Lanford's office was summoned to note her statement in full.

It was the longest statement made by the woman since her connection with the mystery. It will be used probably in the trial. The negress was calm and composed upon emerging from the examination.

That the solicitor sworn to maintain the law should thus falsely arrest one against whom he has no charge and whom he does not even suspect and torture her contrary to the laws to force her to give evidence tending to swear away the life of an innocent man is beyond belief.

Innocent Sufferers.

Where will this end? My husband and my family and myself are the innocent sufferers now but who will be the next to suffer? I suppose the witnesses tortured will be confined to the class who are not able to employ law years to relieve them from the torture

in time to prevent their being forced to give false affidavits but the lives sworn away may come from any class.

It will be noted that the plan is to apply the torture until the desired affidavit is wrung from the sufferer. Then it ends, but not before.

It is to be hoped that no person can be convicted of murder in any civilized country on evidence wrung from witnesses by torture. Why then does the solicitor continue to apply the third degree to produce testimony? How does he hope to get the jury to believe it? He can have only one hop and that is to keep the jury from knowing the methods to which he has resorted.

Of course, if he can torture witnesses into giving the kind of evidence he wants against my innocent husband in this case he can torture them into giving evidence against any other man in the community in either this or any other case. I can see only one hope. And that is to let the public know exactly what this officer of the law is doing and trust as I do trust to the sense of fairness and justice of the people.

It is not surprising that my cook should sign an affidavit to relieve herself from torture that had been applied to her for four hours according to The Atlanta Constitution to a point of exhaustion. It would be surprising if she would not under such circumstances give an affidavit.

This torturing process can be used to produce testimony to be published in the newspapers to prejudice the case of anyone the solicitor sees fit to accuse. It is also valuable to prevent anyone stating facts favorable to the accused because as soon as the solicitor finds it out, he can arrest the witness and apply the torture. It is hard to believe that practices of this nature will be countenanced anywhere in the world outside of Russia.

Corroborates Husband.

My husband was at home for lunch and in the evening at the hours he has stated on the day of the murder. He spent the whole

of Saturday evening and night in my company. Neither on Saturday nor Saturday night nor no [sic] Sunday nor at any other time did my husband by word or act or in any other way demean himself otherwise than as an innocent man. He did nothing unusual and nothing to arouse the slightest suspicion. I know him to be innocent. There is no evidence against him, except that which is produced by torture. Of course evidence of this kind can be produced against any human being in the world.

I have been compelled to endure without fault either on the part of my husband or myself more than it falls to the lot of most women to bear. Slanders have been circulated in the community to the effect that my husband and myself were not happily married and every conceivable rumor has been put afloat that would do him and me harm with the public in spite of the fact that all our friends are aware that these statements are false and all his friends and myself know that my husband is a man actuated by lofty ideals that forbid his committing the crime that the detectives and the solicitor are seeking to fasten upon him.

I know my husband innocent. No man could make the good husband to a woman that he has been to me and be a criminal. All his acquaintances know he is innocent. Ask every man that knows him and see if you can find one that will believe he is guilty. If he were guilty, does it not seem reasonable that you could find some one who knows him that will say he believes him guilty?

Being a woman I do not understand the tricks and arts of detectives and prosecuting officers but I do know Leo Frank, and his friends know him and I know and his friends know that he is utterly incapable of committing the crime that these detectives and this solicitor are seeking to fasten upon him. Respectfully yours,

MRS. LEO M. FRANK."

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